UNITED STATES PATENT AND TRADEMARK OFFICE

Paper No. 5

AGILENT TECHNOLOGIES
LEGAL DEPARTMENT, 51U-PD
INTELLECTUAL PROPERTY ADMINISTRATION
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OFFICE OF PETITIONS

In re Application of
Peter G. Webb
Application No. 09/772,723
Filed: January 29, 2001
Attorney Docket No. 10010016-1

: DECISION GRANTING
: PETITION
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:
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This is a decision on the paper styled "Request For Correction Of Filing Receipt" filed May 14, 2001, which is properly treated as a petition under 37 CFR 1.10(c), requesting that the above-identified application be accorded a filing date of January 29, 2001, rather than the presently accorded filing date of January 30, 2001.

Applicant alleges that the application was deposited in "Express Mail" service with the U.S. Postal Service, on January 29, 2001. In support, applicant provided a copy of the Express Mail label, receipt no. EL675913881US, showing a Date-In of January 29, 2001. The same Express Mail receipt number appears on the original application transmittal letter with the file. Applicant requests that the application be accorded a filing date of January 29, 2001.

The Office considers the date the paper or fee is shown to have been deposited as "Express Mail" to be the "Date In" on the Express Mail label, MPEP 513. That is the date that verifies that the package was actually mailed. In view of the above, the evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on January 29, 2001.

The petition is _granted_. A copy of the corrected Filing Receipt is enclosed.

The application is being returned to Technology Center AU 1631 for examination in due course.

Telephone inquiries specific to this matter should be directed to Wan Laymon at (703) 306-5685.

Sherry Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Enclosure: Corrected Filing Receipt